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PROPOSED NEW CONSTITUTION FOR THE STATE OF WEST VIRGINIA.

Election on the Question of its Adoption, on the Fourth Thursday in August, 1872.

ARTICLE I. RELATIONS TO THE GOVERNMENT OF THE UNITED STATES.

1. The State of West Virginia is, and shall remain, one of the United States of America. The Constitution of the United States of America, and the laws and treaties made in pursuance thereof, shall be the supreme law of the State.

2. The Government of the United States is a government of enumerated powers, and all powers not delegated to it, nor prohibited to the States, are reserved to the States or to the people thereof. Among the powers reserved by the States is the exclusive regulation of their own internal government and police; and it is the high and solemn duty of the several departments of government, created by this Constitution, to guard and protect the people of this State, from all encroachments upon the rights so reserved.

3. The provisions of the Constitution of the United States, and of this State, are operative alike in a period of war as in time of peace, and any departure therefrom, or violation thereof, under the plea of necessity, or any other plea, is subversive of good government, and tends to anarchy and despotism.

4. For the election of representatives to Congress, the State shall be divided into districts, corresponding in number with the representatives to which it may be entitled; which districts shall be formed of contiguous counties and be compact. Each district shall contain, as nearly as may be, an equal number of population, to be determined according to the rule prescribed in the Constitution of the United States.

ARTICLE II. THE STATE.

1. The territory of the following counties, formerly parts of the Commonwealth of Virginia, shall constitute and form the State of West Virginia, viz:

The counties of Barbour, Berkeley, Boone, Braxton, Brooke, Cabell, Calhoun, Clay, Doddridge, Fayette, Gilmer, Grant, Greenbrier, Hampshire, Hancock, Harrison, Jackson, Jefferson, Kanawha, Lincoln, Logan, Marion, Marshall, Mason, McDowell, Mercer, Mineral, Monongalia, Monroe, Morgan, Nicholas, Ohio, Pendleton, Pleasants, Pocahontas, Preston, Putnam, Raleigh, Randolph, Ritchie, Roane, Summers, Taylor, Tucker, Tyler, Upshur, Wayne, Webster, Wetzell, Wirt, Wood and Wyoming. The State of West Virginia includes the bed, bank and shores of the Ohio river, and so much of the Big Sandy river, as was formerly included in the Commonwealth of Virginia; and all territorial rights and property in, and jurisdiction over, the same, heretofore reserved by, and vested in, the Commonwealth of Virginia, are vested in, and shall hereafter be exercised by the State of West Virginia. And such parts of the said beds, banks and shores, as lie opposite, and adjoining the several counties of this State, shall form parts of said several counties respectively.

2. The powers of the State, reside in all the citizens of the State, and can be rightfully exercised only in accordance with their will and appointment.

3. All persons residing in this State, born, or naturalized, in the United States, and subject to the jurisdiction thereof shall be citizens of this State.

4. Every citizen shall be entitled to equal representation in the government, and, in all appointments of representation, equality of numbers of those entitled thereto, shall, as far as practicable, be preserved.

5. No distinction shall be made between residents aliens and citizens, as to the acquisition, tenure, disposition, or descent of property.

6. Treason against the State, shall consist only in levying war against it, or in adhering to its enemies, giving them aid and comfort. No person shall be convicted of treason, unless on the testimony of two witnesses to the same overt act, or on confession in open court. Treason shall be punished, according to the character of the acts committed, by the infliction of one, or more, of the penalties of death, imprisonment or fine, as may be prescribed by law.

7. The present seal of the State, with its motto, "Montani Semper Liberi," shall be the great seal of the State of West Virginia, and shall be kept by the Secretary of State, to be used, by him, officially as directed by law.

8. Writ of habeas corpus, and commissions, issued under the authority of this State, shall run in the name of, and official bonds shall be made payable to, the State of West Virginia. Indictments shall conclude, "Against the peace and dignity of the State."

ARTICLE III. BILL OF RIGHTS.

1. All men are, by nature, equally free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity, namely: the enjoyment of life and liberty, with the means of acquiring and possessing property and of pursuing and obtaining happiness and safety.

2. All power is vested in, and consequently derived from, the people. Magistrates are their trustees and servants, and at all times amenable to them.

3. Government is instituted for the common benefit, protection and security of the people, nation or community. Of all its various forms that is the best, which is capable of producing the greatest degree of happiness and safety, and is most effectually secured against the danger of mal-administration; and when any government shall be found inadequate or contrary to these purposes, a majority of the community has an indubitable, inalienable, and indefeasible right to reform, alter or abolish it in such manner as shall be judged most conducive to the public weal.

4. The privilege of the writ of habeas corpus shall not be suspended. No person shall be held to answer for treason, felony or other crime not cognizable by a justice, unless on presentment or indictment of a Grand Jury. No bill of attainder, ex post facto law, or law impairing the obligation of a contract, shall be passed.

5. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. Penalties shall be proportioned to the character and degree of the offense. No person shall be transported out of, or forced to leave the State, for any offense committed within the same; nor shall any person, in any criminal case, be compelled to be witness against himself, or be twice put in jeopardy of life or liberty for the same offense.

6. The right of the citizens to be secure in their homes, persons, papers and effects against unreasonable searches and seizures, shall not be violated. No warrant shall issue except upon probable cause, supported by oath or affirmation, particularly describing the place to be searched, or the person or thing to be seized.

7. No law abridging the freedom of speech, or of the press, shall be passed; but the Legislature may, by suitable penalties, restrain the publication or sale of obscene books, papers, pictures, and provide for the punishment of libel, and defamation of character, and for the recovery, in civil actions, by the aggrieved party, of suitable damages for such libel, or defamation.

8. In prosecutions, and civil suits for libel, the truth may be given in evidence; and if it shall appear to the jury, that the matter charged as libelous is true, and was published with good motives, and for justifiable ends, the verdict shall be for the defendant.

9. Private property shall not be taken or damaged for public use, without just compensation; nor shall the same be taken by any company, incorporated for the purposes of internal improvement, until just compensation shall have been paid, or secured to be paid to the owner; and when private property shall be taken, or damaged, for public use, or for the use of such corporations, the compensation to the owner shall be ascertained in such manner, as may be prescribed by general law; provided, that when required by either of the parties, such compensation shall be ascertained by an impartial jury of twelve freeholders.

10. No person shall be deprived of life, liberty, or property without due process of law, and the judgment of his peers.

11. Political tests requiring persons, as a prerequisite to the enjoyment of their civil and political rights, to purge themselves by their own oaths, of past alleged offenses, are rejected, and are held to be null and void.

12. No religious test shall be required as a prerequisite to the enjoyment of the rights of a citizen, or as a qualification to vote, or to hold any office, or to exercise any franchise, or to hold any position of honor, or to hold any office of profit or emolument.

13. The general elections of State and county officers, and of members of the Legislature, shall be held on the second Tuesday of October, unless otherwise provided by law.

14. The terms of such officers, not elected or appointed at such time, after the next general election, shall be ascertained by law, unless otherwise provided, begin on the first day of January, and of the members of the Legislature on the first day of November next succeeding their election. Elections to fill vacancies shall be for the unexpired term.

15. When vacancies occur prior to any general election, they shall be filled by appointments in such manner as may be prescribed herein, or by general law, which appointments shall expire at such time, after the next general election, as the person so elected to fill such vacancy shall be qualified.

16. The Legislature, in cases not provided for in this Constitution, shall prescribe by general laws the terms of office, powers, duties and compensation of all public officers and agents, and the manner in which they shall be elected, appointed and removed.

17. Any officer of the State may be impeached for mal-administration, corruption, incompetency, gross immorality, neglect of duty, or any high crime or misdemeanor. The House of Delegates shall have the sole power of impeachment. The Senate shall have the sole power to try impeachments, and no person shall be convicted without the concurrence of two-thirds of the members elected thereto. When sitting as a court of impeachment, the President of the Supreme Court of Appeals, or, if from any cause, it be improper for him to act, then any other Judge of that court, to be designated by it, shall preside; and the Senate shall be on oath, or affirmation, to do justice according to the law and evidence. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold any office of honor, trust or profit under the State; but the party convicted shall be liable to indictment, trial, judgment and punishment according to law. The Senate may sit during the recess of the Legislature for the trial of impeachments.

18. Any citizen of this State who shall, after the adoption of this Constitution, either in or out of the State, fight a duel with deadly weapons, or send or accept a challenge so to do, or who shall act as a second, or knowingly aid or assist in such duel, shall, ever thereafter, be incapable of holding any office of honor, trust or profit in this State.

19. The Legislature shall prescribe the manner of conducting and making returns of elections, and of determining contested elections; and shall make such laws as may be necessary, and proper to prevent intimidation, disorder or violence at the polls, and corruption or fraud in voting, counting the vote, or tampering or declaring the result, or fraud, in any manner, upon the ballot.

20. No citizen shall ever be denied, or refused, the right or privilege of voting at an election, because his name is not, or has not been, registered, or listed, as a qualified voter.

21. The Legislature, executive, and judicial departments shall be separate and distinct, and neither shall exercise the powers properly belonging to either of the others; nor shall any person exercise the powers of more than one of them at the same time, except that justices of the peace shall be eligible to the Legislature.

22. No person holding a lucrative office under this State, the United States, or any foreign government; no member of Congress; no person who is a salaried officer of any railroad company, or who is sheriff, constable or clerk of any court of record, shall be eligible to a seat in the Legislature.

23. No person who has been, or hereafter shall be, convicted of bribery, perjury, or other infamous crime, shall be eligible to a seat in the Legislature. No person who may have collected, or been entrusted with public money, whether State, county, township, district or other municipal organization, shall be eligible to the Legislature, or to any office of honor, trust or profit in this State, until he shall have duly accounted for, and paid over such money according to law.

24. No Senator or Delegate, during the term for which he shall have been elected, shall be elected or appointed to any civil office of profit under this State, which has been created, or the emoluments of which have been increased during such term; except officers to be filled by election by the people. Nor shall any member of the Legislature be interested, directly or indirectly, in any contract with the State, or any county, township, or other municipal organization, authorized by any law passed during the term for which he shall have been elected.

25. The Legislative power shall be vested in the Senate and House of Delegates. The style of their acts shall be, "Be it enacted by the Legislature of West Virginia."

26. The Senate shall be composed of twenty-four, and the House of Delegates of sixty-five members, subject to be increased according to the provisions hereinafter contained.

27. Senators shall be elected for the term of four years, and delegates for the term of two years. The Senators first elected, shall divide every district into two classes, one Senator from every district in each class; the first class shall hold their seats for two years, and the second for four years, so that after the first election, one-half of the Senators shall be elected bi-ennially.

28. For the election of Senators, the State shall be divided into twelve Senatorial districts, which number shall not be diminished, but may be increased, as hereinafter provided. Every district shall elect two Senators, but the district is composed of more than one county, both shall not be chosen from the same county. The districts shall be compact, formed of contiguous territory, bounded by county lines, and as nearly as practicable, be equal in population, to be ascertained by the census of the United States. After every such census, the Legislature shall alter the Senatorial districts, so far as may be necessary to make them conform to the foregoing provisions.

29. Until the Senatorial districts shall be altered by the Legislature as herein prescribed, the counties of Hancock, Brooke and Ohio, shall constitute the first Senatorial district; Marshall, Wetzell and Marion, the second; Ritchie, Doddridge, Harrison, Gilmer and Calhoun, the third; Tyler, Pleasants, Putnam and Boone, the fourth; Kanawha, Clay, Nicholas, Braxton and Webster, the fifth; Cabel, Wayne, Lincoln, Boone, Logan, Wyoming, McDowell and Mercer, the sixth; Monroe, Greenbrier, Summers, Pocahontas, Fayette and Raleigh, the eighth; Lewis, Randolph, Upshur, Barbour, Taylor and Tucker, the ninth; Preston and Monongalia, the tenth; Hampshire, Mineral, Hardy, Grant, Pendleton, the eleventh; Berkeley, Morgan and Jefferson, the twelfth.

30. For the election of Delegates, every county containing a population of less than three-fifths of the ratio of representation for the House of Delegates, shall, at each apportionment, be attached to some contiguous county or counties, to form a Delegate District.

31. After every census the Delegates shall be apportioned as follows: The ratio of representation for the House of Delegates, shall be ascertained by dividing the whole population of the State, by the number of which electors the House is to consist, and rejecting the fraction of a unit, if any, resulting from such division. Dividing the population of every delegate district, and of every county not included in a delegate district, by the ratio thus ascertained there shall be assigned to each, a number of Delegates equal to the quotient obtained by this division, excluding the fractional remainder. The additional delegates necessary to make up the number of which the House is to consist, shall then be assigned to the delegate districts, in the order in which they are numbered, until the number of delegates is equal to the number of which the House is to consist, and the delegates so assigned, shall be entitled to at least one delegate.

32. Until a new apportionment shall be declared, the counties of Pleasants and Wood shall form the first Delegate District, and the counties of Doddridge, Harrison, Gilmer and Calhoun, the second, and elect two Delegates; Barbour, Harrison and Taylor, the third, and elect one Delegate; Randolph and Tucker, the fourth, and elect one Delegate; Nicholas, Clay and Webster, the fifth, and elect one Delegate; McDowell and Wyoming, the sixth, and elect one Delegate.

33. Until a new apportionment shall be declared, the apportionment of Delegates to the counties not included in delegate districts, shall be as follows: To Barbour, Boone, Braxton, Brooke, Cabel, Doddridge, Fayette, Hampshire, Hancock, Jackson, Lewis, Logan, Greenbrier, Monroe, Mercer, Mineral, Morgan, Grant, Hardy, Lincoln, Pendleton, Putnam, Roane, Gilmer, Taylor, Tyler, Upshur, Wayne, Wetzell, Wirt, Pocahontas, Summers and Raleigh counties one delegate each.

34. To Berkeley, Harrison, Jefferson, Marion, Mitchell, two Delegates each.

35. To Kanawha county, three Delegates.

36. To Ohio county, four Delegates.

37. The arrangement of the Senatorial and Delegate Districts, and apportionment of Delegates, shall hereafter be declared by law, as soon as possible after each succeeding census taken by authority of the United States. When so declared, they shall apply to the first general election for members of the Legislature to be thereafter held, and shall continue in force unchanged, until such districts shall be altered and delegates apportioned under the succeeding census.

38. Additional territory may be admitted into and become part of this State, with the consent of the Legislature and a majority of the qualified voters of the State voting on the question. And in such case, provision shall be made by law, for the representation thereof, in the Senate and House of Delegates, in conformity with the principles set forth in this Constitution. And the number of members of which the Legislature is to consist, shall thereafter be increased by the representation assigned to such additional territory.

39. No person shall be a Senator or Delegate, who has not for one year next preceding his election, been a resident within the district or county from which he is elected; and if a Senator or Delegate remove from the district or county for which he was elected, his seat shall be thereby vacated.

40. No person holding a lucrative office under this State, the United States, or any foreign government; no member of Congress; no person who is a salaried officer of any railroad company, or who is sheriff, constable or clerk of any court of record, shall be eligible to a seat in the Legislature.

41. No person who has been, or hereafter shall be, convicted of bribery, perjury, or other infamous crime, shall be eligible to a seat in the Legislature. No person who may have collected, or been entrusted with public money, whether State, county, township, district or other municipal organization, shall be eligible to the Legislature, or to any office of honor, trust or profit in this State, until he shall have duly accounted for, and paid over such money according to law.

42. No Senator or Delegate, during the term for which he shall have been elected, shall be elected or appointed to any civil office of profit under this State, which has been created, or the emoluments of which have been increased during such term; except officers to be filled by election by the people. Nor shall any member of the Legislature be interested, directly or indirectly, in any contract with the State, or any county, township, or other municipal organization, authorized by any law passed during the term for which he shall have been elected.

43. No bill shall become a law until it has been fully and distinctly read, on three different days in each House, unless, in case of urgency, by a vote of four-fifths of the members present, taken by yeas and nays, on each bill, this rule be dispensed with: Provided, in all cases, that an engrossed bill shall be fully and distinctly read in each House.

44. No act hereafter passed shall embrace more than one object, and that shall be expressed in the title. But if any object shall be embraced in an act, which is not so expressed, the act shall be void only as to so much thereof as shall not be so expressed, and no law shall be revived, or amended, by reference to its title only; but the law revived, or the section amended, shall be inserted at large, in the new act. And no act of the Legislature, except such as may be passed at the first session under this Constitution, shall take effect, until the expiration of ninety days after its passage, unless, the Legislature shall, by a vote of two-thirds of the members elected to each House, taken by yeas and nays, "I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of West Virginia, and faithfully discharge the duties of Senator (or Delegate) according to the best of my ability;" and they shall also take this further oath, to-wit: "I will not accept or receive, directly or indirectly, any money or other valuable thing, from any corporation, company or person, for any vote or influence I may give or withhold, as Senator (or Delegate) on any bill, resolution or appropriation, or for any act I may do or perform as Senator (or Delegate)." These oaths shall be administered in the Hall of the House to which the member is elected by a Judge of the Supreme Court of Appeals, or of a Circuit Court, or by any other person authorized by law to administer an oath; and the Secretary of State shall record and file said oaths subscribed by each member; and no other oath or declaration shall be required as a qualification. Any member who shall refuse to take the oath herein prescribed, shall forfeit his seat, and any member who shall be convicted of having violated the oath last above required to be taken shall forfeit his seat, and be disqualified thereafter from holding any office of profit or trust in this State.

45. Members of the Legislature shall, in all cases, except treason, felony, and breach of the peace, be privileged from arrest during the session, and for ten days before and after the same; and for words spoken in debate, or any report made, or proposition made, in either House, a member shall not be questioned in any other place.

46. The Legislature shall assemble at the seat of government bi-ennially, and not oftener, unless convened by the Governor. The first session of the Legislature, shall commence on the third Tuesday of November, 1872, and the regular bi-annual session of the Legislature shall commence on the second Wednesday of January, in 1875, and every two years thereafter on the same day.

47. The Governor may convene the Legislature by proclamation whenever, in his opinion, the public safety or welfare shall require it. It shall be his duty to convene it on application, in writing, of three-fifths of the members elected to each House.

48. The seat of government shall be at Charleston, until otherwise provided by law.

49. The Governor may convene the Legislature at another place, when, in his opinion, it cannot safely assemble at the seat of government; and the Legislature may, when in session, adjourn to some other place, when, in his opinion, the public safety or welfare, or the safety of the members, or their health shall require it.

50. No session of the Legislature, after the first, shall continue longer than forty-five days, without the concurrence of two thirds of the members elected to each House.

51. Neither House shall, during the session adjourn for more than three days, without the consent of the other. Nor shall either, without such consent, adjourn to any other place than that in which the Legislature is sitting.

52. A majority of the members elected to each House of the Legislature, shall constitute a quorum. But a smaller number may adjourn from day to day, and shall be authorized to compel the attendance of absent members, as each House may provide. Each House shall determine the rules of its proceedings, and be the judge of the elections, returns and qualifications of its own members. The Senate shall choose, from its own body, a President, and the House of Delegates, from its own body, a Speaker. Each House shall appoint its own officers, and remove them at pleasure. The oldest Delegate present shall call the House to order at the opening of each new House of Delegates, and preside over it, until the Speaker thereof shall have been chosen and have taken his seat. The oldest member of the Senate present at the commencement of each regular session thereof, shall call the Senate to order and preside over the same until the President of the Senate shall have been chosen and have taken his seat.

53. Each House may punish its own members for disorderly behavior, and with the concurrence of two-thirds of the members elected thereto, expel a member, but not twice for the same offense.

54. Each House shall have power to provide for its own safety, and the undisturbed transaction of its business, and may punish, by imprisonment, any person not a member, for disrespectful behavior in its presence; or for obstructing any of its proceedings, or any of its officers in the discharge of his duties, or for any assault, threat, or abuse of a member, for words spoken in debate. But such imprisonment shall not extend beyond the termination of the session, and shall not prevent the punishment of any offense by the ordinary course of law.

55. Laws shall be enacted and enforced by suitable provisions and penalties, requiring sheriffs and all other officers, whether State, county, district or municipal, who shall collect or receive, or whose official duty it is, or shall be, to collect, receive, hold or pay out any money belonging to, or which is, or shall be, for the use of the State or of any county, district, or municipal corporation, to make annual account and settlement thereof. Such settlement, when made, shall be subject to exceptions, and take such direction, and have only such force and effect as may be provided by law; but in all cases, such settlement shall be recorded, and be open to the examination of the people at such convenient place or places as may be appointed by law.

56. Bills and resolutions may originate in either House, but may be passed, amended or rejected by the other.

57. No bill shall become a law until it has been fully and distinctly read, on three different days in each House, unless, in case of urgency, by a vote of four-fifths of the members present, taken by yeas and nays, on each bill, this rule be dispensed with: Provided, in all cases, that an engrossed bill shall be fully and distinctly read in each House.

58. No act hereafter passed shall embrace more than one object, and that shall be expressed in the title. But if any object shall be embraced in an act, which is not so expressed, the act shall be void only as to so much thereof as shall not be so expressed, and no law shall be revived, or amended, by reference to its title only; but the law revived, or the section amended, shall be inserted at large, in the new act. And no act of the Legislature, except such as may be passed at the first session under this Constitution, shall take effect, until the expiration of ninety days after its passage, unless, the Legislature shall, by a vote of two-thirds of the members elected to each House, taken by yeas and nays, "I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of West Virginia, and faithfully discharge the duties of Senator (or Delegate) according to the best of my ability;" and they shall also take this further oath, to-wit: "I will not accept or receive, directly or indirectly, any money or other valuable thing, from any corporation, company or person, for any vote or influence I may give or withhold, as Senator (or Delegate) on any bill, resolution or appropriation, or for any act I may do or perform as Senator (or Delegate)." These oaths shall be administered in the Hall of the House to which the member is elected by a Judge of the Supreme Court of Appeals, or of a Circuit Court, or by any other person authorized by law to administer an oath; and the Secretary of State shall record and file said oaths subscribed by each member; and no other oath or declaration shall be required as a qualification. Any member who shall refuse to take the oath herein prescribed, shall forfeit his seat, and any member who shall be convicted of having violated the oath last above required to be taken shall forfeit his seat, and be disqualified thereafter from holding any office of profit or trust in this State.

59. The members of the Legislature shall, in all cases, except treason, felony, and breach of the peace, be privileged from arrest during the session, and for ten days before and after the same; and for words spoken in debate, or any report made, or proposition made, in either House, a member shall not be questioned in any other place.

60. The Legislature shall assemble at the seat of government bi-ennially, and not oftener, unless convened by the Governor. The first session of the Legislature, shall commence on the third Tuesday of November, 1872, and the regular bi-annual session of the Legislature shall commence on the second Wednesday of January, in 1875, and every two years thereafter on the same day.

61. The Governor may convene the Legislature by proclamation whenever, in his opinion, the public safety or welfare shall require it. It shall be his duty to convene it on application, in writing, of three-fifths of the members elected to each House.

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64. A majority of the members elected to each House of the Legislature, shall constitute a quorum. But a smaller number may adjourn from day to day, and shall be authorized to compel the attendance of absent members, as each House may provide. Each House shall determine the rules of its proceedings, and be the judge of the elections, returns and qualifications of its own members. The Senate shall choose, from its own body, a President, and the House of Delegates, from its own body, a Speaker. Each House shall appoint its own officers, and remove them at pleasure. The oldest Delegate present shall call the House to order at the opening of each new House of Delegates, and preside over it, until the Speaker thereof shall have been chosen and have taken his seat. The oldest member of the Senate present at the commencement of each regular session thereof, shall call the Senate to order and preside over the same until the President of the Senate shall have been chosen and have taken his seat.

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73. The Governor may convene the Legislature by proclamation whenever, in his opinion, the public safety or welfare shall require it. It shall be his duty to convene it on application, in writing, of three-fifths of the members elected to each House.

74. The seat of government shall be at Charleston, until otherwise provided by law.

75. The Governor may convene the Legislature at another place, when, in his opinion, it cannot safely assemble at the seat of government; and the Legislature may, when in session, adjourn to some other place, when, in his opinion, the public safety or welfare, or the safety of the members, or their health shall require it.

76. A majority of the members elected to each House of the Legislature, shall constitute a quorum. But a smaller number may adjourn from day to day, and shall be authorized to compel the attendance of absent members, as each House may provide. Each House shall determine the rules of its proceedings, and be the judge of the elections, returns and qualifications of its own members. The Senate shall choose, from its own body, a President, and the House of Delegates, from its own body, a Speaker. Each House shall appoint its own officers, and remove them at pleasure. The oldest Delegate present shall call the House to order at the opening of each new House of Delegates, and preside over it, until the Speaker thereof shall have been chosen and have taken his seat. The oldest member of the Senate present at the commencement of each regular session thereof, shall call the Senate to order and preside over the same until the President of the Senate shall have been chosen and have taken his seat.

77. Each House may punish its own members for disorderly behavior, and with the concurrence of two-thirds of the members elected thereto, expel a member, but not twice for the same offense.

78. Each House shall have power to provide for its own safety, and the undisturbed transaction of its business, and may punish, by imprisonment, any person not a member, for disrespectful behavior in its presence; or for obstructing any of its proceedings, or any of its officers in the discharge of his duties, or for any assault, threat, or abuse of a member, for words spoken in debate. But such imprisonment shall not extend beyond the termination of the session, and shall not prevent the punishment of any offense by the ordinary course of law.

79. Laws shall be enacted and enforced by suitable provisions and penalties, requiring sheriffs and all other officers, whether State, county, district or municipal, who shall collect or receive, or whose official duty it is, or shall be, to collect, receive, hold or pay out any money belonging to, or which is, or shall be, for the use of the State or of any county, district, or municipal corporation, to make annual account and settlement thereof. Such settlement, when made, shall be subject to exceptions, and take such direction, and have only such force and effect as may be provided by law; but in all cases, such settlement shall be recorded, and be open to the examination of the people at such convenient place or places as may be appointed by law.

80. Bills and resolutions may originate in either House, but may be passed, amended or rejected by the other.

81. No bill shall become a law until it has been fully and distinctly read, on three different days in each House, unless, in case of urgency, by a vote of four-fifths of the members present, taken by yeas and nays, on each bill, this rule be dispensed with